

WASTE MANAGEMENT COUNCIL

Minutes of January 17, 2008

**State of New Hampshire
Department of Environmental Services
29 Hazen Drive, Room 112, 113, and 114
Concord, New Hampshire 03301**

MEMBERS PRESENT: G. Bradley Richards, Chairman; Ronald Allard; Michael Blayney; Charles Connell; Arthur Cunningham; Nancy Kinner; Elaine Lauterborn; Carl Quiram; and Duncan Watson.

NHDES: Thomas C. Andrews, Waste Management Division
Michael J. Wimsatt, Waste Management Division

GUESTS: John V. Dwyer, Jr., Esq.,
Peter Roth, Esq., Office of the Attorney General
Alan Simard
James L. Soucy, Esq., Normand and Associates

(1) Introduction

- (A) Chairman Richards brought the meeting to order at 10:10 a.m. verifying that a quorum was present.

(2) Pending Business

- (A) Acceptance of Minutes for Meeting November 15, 2007: A motion was made to accept the Minutes of the November 15, 2007 meeting. Motion made by Mr. Allard, seconded by Mr. Connell. All in favor.
- (B) Schedule of Next Meeting: The next meeting is scheduled for February 21, 2008 and will be held at the NHDES offices.
- (C) Correspondence: Mr. Allard received an e-mail regarding the Construction and Demolition Debris report from DES, which showed an attachment to the report. Mr. Allard was unable to open the attachment. Mr. Allard is requesting a copy of the report.

10:10 a.m. – Ms. Kinner and Mr. Cunningham arrived.
10:15 a.m. – Meeting adjourned for recess.
10:30 a.m. – Meeting reconvened
10:30 a.m. – Attorney Soucy and Mr. Simard arrived.

(3) Appeal Hearing

Docket Number: 07-26 WMC
Appellant: Simard Family Trust Appeal
Subject of Appeal: October 30, 2007 Auburn Road Landfill Superfund Site
Groundwater Management Permit No. GWP-198803007-L0001

Arthur Cunningham stated that he recuses himself from this hearing.

Ms. Samson reviewed the list of documents received, which is presently before the Council regarding Docket No. 07-26 WMC.

On January 16, 2008, Attorney Dwyer, representing Auburn Road Party Performing Group filed a Motion to Continue. Attorney Dwyer gave a brief summary regarding his motion.

Attorney Roth expanded on Attorney Dwyer's summary and agreed with the Motion to Continue the appeal hearing.

On January 17, 2008, Attorney Soucy, representing Simard Family Trust, gave a synopsis regarding his Objection to the Motion to Continue.

11:45 a.m. – Meeting adjourned for recess.
11:50 a.m. – Meeting reconvened.

A motion was made to accept the Motion to Continue the appeal hearing on February 21, 2008. Motion made by Ms. Lauterborn, seconded by Mr. Quiram. Mr. Allard abstained. Motion carries.

A motion was made to request the parties meet within 15 days to discuss the issues. Motion made by Mr. Blayney, seconded by Ms. Kinner. All in favor.

12:00 p.m. – Council adjourned for lunch.
12:32 p.m. – Meeting reconvened.

(4) New/Old Business

Mr. Wimsatt gave a brief synopsis regarding the Task Force Reduction, Reuse, and Recycling of C&D (Task Force). An e-mail will be sent to all committee members within the Task Force in the next couple weeks. The e-mail will include information about the upcoming February 4th meeting, which will include a copy of the draft report.

Mr. Blayney is currently working on the Council's Annual Report.

A motion was made to amend the minutes of the November 15, 2007 meeting to reflect the following: Mr. Watson was not present at that meeting. Also, to add Ms. Lauterborn and Mr. Allard's votes to the motion listed in section number three, first paragraph. Motion made by Ms. Allard, seconded by Mr. Allard. All in favor.

Ms. Lauterborn requested the Council's attorney attend a meeting in March or April to answer questions regarding appeal procedures.

(5) Adjournment

At 1:45 p.m., Mr. Watson moved to adjourn the meeting. Mr. Blayney seconded. The Council unanimously agreed to adjourn.

*Respectfully submitted by Almorinda M. Samson, Waste Management Council Clerk.
A copy of the audio taped recording of this meeting is available upon request. Please contact Ms. Samson at (603) 271-2905 for more information.*